

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. Serial No.: 10/766,550
Filed: January 28, 2004
Applicant: David Robison et al.
Title: METHOD OF ROLLING FOLDED MEMBRANE SHEETING
WITH PREAPPLIED SEAM TAPE
Art Unit: 3637
Examiner: Phi Dieu Tran A
Atty Docket: CRS / 278
Confirmation No.: 3112

Cincinnati, OH

July 26, 2006

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PRELIMINARY AMENDMENT

This is In response to the Office Action mailed on May 3, 2006.

Amendments to the Claims are reflected in the **Listing of Claims** which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

LISTING OF CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently amended) A method of rolling a membrane sheeting having a seam tape applied only along a first edge of said membrane sheeting with a portion of said membrane sheeting having no seam tape, said portion extending from said seam tape to a second edge and wherein said membrane has a thickness greater than or equal to a thickness of said seam tape comprising

folding said portion of said membrane sheeting over upon itself only once to form a folded sheet wherein said portion of sheeting does not overlie any area of said membrane sheeting having seam tape adhered thereto, and

rolling said membrane sheeting to form a roll of sheeting.

2. (Previously amended) The method claimed in claim 1 wherein said seam tape is on a first surface of said membrane sheeting and said portion of said membrane sheeting is folded onto said first surface.

3. (Previously amended) The method claimed in claim 1 wherein said seam tape is on a first surface of said membrane sheeting and said portion of said membrane is folded onto a second surface of said membrane sheeting.

4. (Original) The method claimed in claim 1 wherein said membrane sheeting is EPDM.

5. (Previously amended) A roll of membrane sheeting having a first edge and a second edge, a seam tape adhered only to said first edge wherein said second edge is folded toward said first edge and wherein said second edge does not overlie said seam tape.

6. (Previously presented) The method claimed in claim 1 wherein said portion of said membrane is folded toward said first edge with said second edge of said sheeting resting adjacent said seam tape.

7. (New) The method claimed in claim 1 wherein said seam tape does not extend beyond said first edge of said membrane sheeting.

8. (New) The method claimed in claim 1 further comprising transporting said roll of sheeting to a job site, unrolling said membrane sheeting and adhering said seam tape to an edge of an adjacent membrane sheet.

DISCUSSION

Applicant would like to thank the Examiner for the courtesy of a personal interview. It is hoped that the amended claims will overcome the cited references as discussed below.

Claim 1 was amended to insert a comma between the words "seam tape" and "said portion" to overcome the §112 objection. Further, the claim was amended to indicate that the membrane has a thickness greater than or equal to the thickness of the seam tape. The claim was also amended to indicate that the membrane sheeting is folded upon itself only once. Finally, at the end of the claim, a phrase was added indicating that a roll of sheeting is formed. This provides antecedent basis for claim 8.

Claim 7 was added, which is dependent on claim 1. This claim adds the limitation "wherein said seam tape does not extend beyond the first edge of said membrane sheeting."

New claim 8, which is dependent on claim 1, indicates that the roll of sheeting is transported to a job site, unrolled, and the seam tape is adhered to an edge of an adjacent membrane sheet. This is supported in the specification at page 5, lines 15-19.

The claims as they currently read are not anticipated by the cited of the Leeuwenburgh '699 reference. As indicated, claim 1 was amended to indicate that the sheeting is folded only once and that the membrane has a thickness that is greater than or equal to the thickness of the seam tape. This is opposite of what is disclosed in the

Leeuwenburgh reference. As indicated at lines 46 ff of column three, the plastic material is folded lengthwise seven times in order to achieve greater thickness. Further, the product disclosed in the cited reference has a tape edge member which is much thicker than the plastic film. Accordingly, the Leeuwenburgh reference does not disclose either of the added limitations in claim 1: the thickness of the membrane being greater than or equal to the seam tape, or that the membrane is folded only once.

These limitations are important for applicants' endeavor. Folding a roofing membrane multiple times would be impractical. If the seam tape was thicker than the membrane, the invention simply would not function unless the membrane was folded multiple times. Accordingly, one does not have the option of practicing the method disclosed in the Leeuwenburgh reference. For these reasons, applicants would maintain that the claimed invention is new and unobvious in light of the Leeuwenburgh reference.

Claim 7 was added to further distinguish the present invention from the Leeuwenburgh reference. The Leeuwenburgh reference specifically teaches adhesive tape which projects beyond the width of the plastic (see column 3, lines 62-65). Applicant in claim 7 has indicated that the seam tape does not extend beyond the edge of the sheeting. If it did so, it could not be rolled and transported. The seam tape beyond the edge of the membrane would adhere to adjacent layers of membrane, preventing the roll from unrolling.

Finally, claim 8 adds the limitation that the roll is actually taken to the job site unrolled and the seam tape is adhered to an adjacent membrane sheet. This feature is not disclosed anywhere in Leeuwenburgh since this is a product apparently used for painting. Two membrane sheets disclosed in Leeuwenburgh would never be adhered to each other for such a purpose.

In light of the above, applicants would request the Examiner reconsider the now-amended claims.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By 

Gregory J. Lunn, Reg. No. 29,945

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
(513) 241-2324 - Telephone
(513) 421-7269 - Facsimile